

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RICHARD A. MONTGOMERY, et al., )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 M/V PACIFIC PRODUCER, et al., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

CASE NO. C05-1578-MJB

ORDER GRANTING PLAINTIFFS'  
MOTION FOR SUMMARY  
JUDGMENT

Now before the Court is Plaintiffs' Motion for Summary Judgment against Defendants for crewmembers' wage claims. The Court having reviewed the motion and finding that Plaintiffs have met their burden of demonstrating the absence of genuine issues of material fact, Defendants having failed to file any opposition to the motion,<sup>1</sup> and being fully advised on the premises, hereby ORDERS:

(1) Plaintiffs' Motion for Summary Judgment (Dkt. #20) is GRANTED.

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<sup>1</sup>When a motion for summary judgment is made and supported as provided in Fed. R. Civ. P. 56, if the adverse party does not respond as provided in the rule, by affidavits or otherwise setting forth specific facts showing that there is a genuine issue for trial, summary judgment, if appropriate, shall be entered against the adverse party. *See* Rule 56(e).

(2) The following crewmembers are entitled to judgment against Defendants as follows:

|                       |                     |
|-----------------------|---------------------|
| Richard A. Montgomery | \$35,400.00         |
| Reginald Karl Chase   | \$21,306.00         |
| Martha Varner         | \$16,487.00         |
| Matagimalie Fotu      | \$13,280.00         |
| Satini Samifua        | \$16,280.00         |
| Jonathon Stoner       | \$33,120.00         |
| Verneal M. Williams   | \$16,282.00         |
| <b>Total</b>          | <b>\$152,155.00</b> |

DATED this 26<sup>th</sup> day of October, 2006.



MONICA J. BENTON  
United States Magistrate Judge

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